



110658-005  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re the Application of:** Ross, et al.

**Serial Number:** 09/545,316

**Filed:** April 7, 2000

**For:** **SYSTEM AND METHOD FOR  
FACILITATING THE PRE-  
PUBLICATION PEER REVIEW  
PROCESS**

**Group Art Unit:** 2176

**Examiner:** T. Huynh

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**Response to Notification of Non-Compliance with 37 C.F.R. § 1.192(c)**

Mail Stop Appeal Brief-Patents  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This communication is in response to the Office Action mailed December 18, 2003. In order to avoid dismissal of the appeal, Applicant respectfully re-submits the appeal brief that was filed on September 22, 2003 in triplicate.

If the Examiner has any questions or comments regarding this Communication, the Examiner is respectfully urged to contact the undersigned at the number listed below.

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**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

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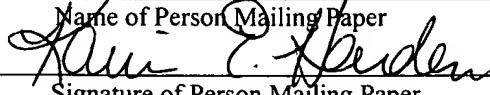
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December 31, 2003

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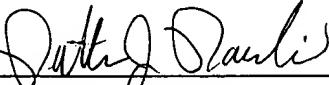


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The Commissioner is hereby authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Deposit Account No. **50-2075**.

Respectfully submitted,

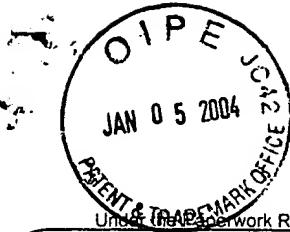
Procopio, Cory, Hargreaves & Savitch LLP

By: 

Patric J. Rawlins  
Reg. No. 47,887

Dated: December 31, 2003

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/545,316
Filing Date	April 7, 2000
First Named Inventor	Ross, et al.
Art Unit	2176
Examiner Name	T. Huynh

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Total Number of Pages in This Submission

84

Attorney Docket Number

110658-000005

### ENCLOSURES (Check all that apply)

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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please Identify below):
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Remarks		
<p>The commissioner is hereby authorized to charge to Procopio, Cory, Hargreaves &amp; Savitch's Deposit Account No. <u>50-2075</u> for any fees associated with the filing of the present Appeal Brief and any fees associated with the extension of time request.</p>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Pattie J. Rawlins Procopio, Cory, Hargreaves & Savitch LLP
Signature	
Date	September 18, 2003

**CERTIFICATE OF TRANSMISSION/MAILING**

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Typed or	Marcelle A. Oyos	Date	September 18, 2003
Signature	<i>Marcelle A. Oyos</i>		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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